

REMARKS/ARGUMENTS

I. Status of Claims

Claims 23-43 are pending. Claims 1-22 have been cancelled. The new claims are fully supported by the original disclosure. No new matter has been introduced.

Applicants note with appreciation the indicated allowability of claims 3, 11, 14 and 22.

Claims 1, 7, 12, 16 and 18 stood rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,696,947 ("Bybee").

Claims 2, 4, 8, 13, 15, 17 and 19 stood rejected under 35 U.S.C. 103(a) as being unpatentable over Bybee.

Claims 5, 6, 10, 20 and 21 stood rejected under 35 U.S.C. 103(a) as being unpatentable over Bybee in view of U.S. Patent No. 4,539,558 ("Fearon").

These rejections are respectfully traversed and reconsideration is respectfully requested.

II. Claim Rejections under 35 U.S.C. §102(e)

In the subject Office Action, claims 1, 7, 12, 16 and 18 were rejected as being anticipated by Angelo. In light of the cancellation of these claims, it is respectfully submitted that this rejection is now moot.

Applicants have rewritten the claims and new independent claims 23 and 31 now include the feature that a microcontroller is operatively coupled to transmitter and receiver sensor panels, and is configured to determine a position of each receiver and transmitter sensor panel. It is respectfully submitted that Bybee does not disclose or even suggest such a feature. Accordingly, it is respectfully submitted that claims 23 and 31 are allowable.

Claims 24-30 and 32-36 depend, either directly or through intervening claims, on claims 23 and 31, respectively, and therefore, they are allowable for at least the reasons claims 23 and 31 are allowable.

New independent claim 37 is directed to a method of detecting metal comprising, among other things, determining, with the microcontroller, a position of each transmitter and receiver sensor panel. As noted above, it is respectfully submitted that Bybee does not disclose or even suggest such a feature. Accordingly, it is respectfully submitted that claim 37 is allowable.

Claims 38-40 depend on claim 37 and therefore, they are allowable for at least the reasons claim 37 is allowable.

III. Claim Rejections under 35 U.S.C. §103

In the subject Office Action, claims 2, 4, 8, 13, 15, 17 and 19 stood rejected under 35 U.S.C. 103(a) as being unpatentable over Bybee. Claims 5, 6, 10, 20 and 21 stood rejected under 35 U.S.C. 103(a) as being unpatentable over Bybee in view of Fearon. In light of the cancellation of these claims, it is respectfully submitted that this rejection is now moot.

It is respectfully submitted that Fearon does not remedy the above discussed deficiency of Bybee. It is therefore respectfully submitted that claims 23-43 are patentable over Bybee even when combined with Fearon.

IV. New Claims 41-43

New claims 41-43 are dependent claims 3, 11 and 14 written in dependent form, respectively. The Examiner indicated that such claims would be allowable. Accordingly, it is respectfully submitted that these claims are allowable.

V. Conclusion

In view of the foregoing, Applicants submit all pending claims, specifically, claims 23-43, are in condition of allowance. The Examiner is invited to call the undersigned at (503) 796-2997 regarding any inquiry concerning this communication. Issuance of a Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: _____

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